

Application No.: 09/858,477

Docket No.: H6810.0021/P021

REMARKS

Applicants' undersigned representative wishes to thank Examiner Yelena Gakh for the courteous and helpful interview conducted on January 4, 2005. As a follow-up to the interview, claims 1, 2, 6-8, 11, 12, 14 and 39 have been amended. Claims 13, 18 and 40 have been canceled, without prejudice. The application now contains claims 1-12, 14-17 and 39. Support for the term "conversion factor" appears in the original specification, including page 14, lines 5+ and Fig. 9(c). The claims as amended should not be limited, however, to the preferred embodiments described and shown in the original specification and drawings. Applicants reserve the right to pursue the original claims and other claims in this and other applications. A Petition for Extension of Time is being filed concurrently herewith. An Information Disclosure Statement was filed on November 24, 2004.

Claim 6 is rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Reconsideration is respectfully requested. The claim has been amended to obviate the rejection.

Claims 1-12, 14-17 and 39 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Reconsideration is respectfully requested. Please consider the following:

With respect to the first concern raised in the rejection, please note that claims 1, 7, 12 and 39 have been amended to recite the step of providing a first data set containing substances that include "controlled substances." In a preferred embodiment, the "first data set" is the database of material composition 104 (Fig. 2(a));

Application No.: 09/858,477

Docket No.: H6810.0021/P021

page 13). The claimed invention should not be limited, however, to the preferred embodiments described and shown in the present application.

The other concerns raised in the rejection with respect to claims 1, 7, 12 and 39 ("reporting requirements," "ratios" and "first quantity") have been obviated by changes made to the claims.

The objection to the use of the word "information" in claims 2, 8 and 14 should be obviated by the foregoing amendment. Contrary to the Office Action, the word does not appear in independent claims 1, 7 and 12.

The concern with respect to the use of the word "substance" in claim 14 has been obviated by amendment. The claim now refers to "said controlled substances."

With respect to claims 3, 9 and 15, please note that the recited "control object code" is readable, for example, on the control object code 204, 211 shown in Fig. 4. The recited "source of control" is readable, for example, on a PRTR regulation, environmental agency designation, etc. The relationship between control object codes and the source of control in a preferred embodiment is shown in the table in the lower portion of Fig. 4.

Referring now to the next-to-last paragraph on page 4 of the Office Action, please note that the second data set of claim 12 is readable, for example, on the database of substances under control 200 shown in Fig. 2(b). The claimed invention should not be limited, however, to the details, format or content of the database 200.

Application No.: 09/858,477

Docket No.: H6810.0021/P021

The last clause of former claim 39 has been deleted, as required, and other changes were made to the claims in response to concerns raised by the Examiner during the January 4th interview.

Claims 1-12, 14-17 and 39 are rejected under 35 U.S.C. § 102 as being anticipated by Sturgeon. Reconsideration is respectfully requested. The claims have been amended to obviate the rejection.

According to claim 1, as amended, three data sets are provided. The first contains substances that include controlled substances, and at least some of the controlled substances are in the same compound group. The second data set contains the controlled substances, and the controlled substances that are of the same compound group are categorized by a common group control ID. The third data set contains conversion factors for the controlled substances. According to the claimed method, an emissions quantity of the controlled substances is determined utilizing the conversion factors and the first and second data sets. Sturgeon fails to disclose or suggest the recited combination of elements and steps.

Sturgeon refers to an integrated hazardous materials management (HMM) system. The system monitors consumption of chemicals and chemical mixtures, using process definitions and using manual draw down for no-process consumption (see column 12, lines 21-31, etc.). Sturgeon refers to many groups, such as group 1: chemical identification and group 6 hazard category (column 16, line 1 – column 20, line 46). Sturgeon fails, however, to employ groups in the manner recited in amended claim 1.

The remaining claims should be allowable for similar reasons, and there are additional reasons beyond those discussed herein as to why the claims should be

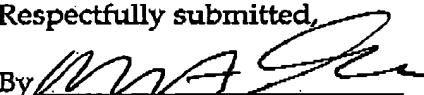
Application No.: 09/858,477

Docket No.: H6810.0021/P021

allowable. In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: January 25, 2005

Respectfully submitted,

By 
Mark J. Thronson

Registration No.: 33,082
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
2101 L Street NW
Washington, DC 20037-1526
(202) 775-4742
Attorney for Applicant